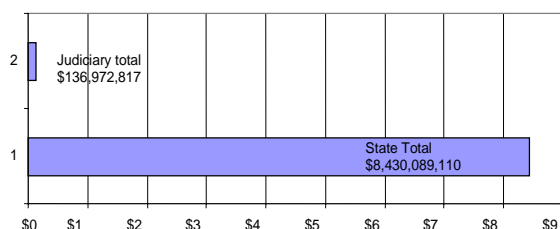


# Missouri Judicial Report

## Fiscal Year 2004

### Revenue and Expenses

#### FY2004 General Revenue Expenditures



In Fiscal Year 2004, the Judicial Branch again comprised a very small percent of the state's general revenue budget, 1.625 percent of the overall budget, which was down from Fiscal Year 2003, when the Judicial Branch comprised 1.68 percent of the overall budget. Of all funds (general revenue, grants and fees), 75% is spent for circuit courts (including drug courts), which are the limited and general jurisdiction courts available in each county.

The Judicial Branch also contributed funds back into the state's revenue stream. The Missouri Judicial Finance Report for January through December 2003 shows that over \$395 million was receipted by the courts as cost deposits, bonds, fines, fees, surcharges, garnishments, restitution and court judgments.

Of that amount, over \$34 million went to general revenue or other funds administered by the state. This does not include the fees the courts collected for the schools (fines and a portion of bond forfeitures) or for local county funds, such as sheriff's fees, county funds (formerly the prosecuting attorney fee), training funds for law enforcement and prosecutors or board bill refunds for jail time. In addition, approximately 64,300 crime victims' compensation judgments were assessed in Fiscal Year 2004.

<b>Fiscal Year 2004 Judicial Branch Budget Breakdown</b> (Including Supplemental Funding)		
	<b><i>Dollars</i></b>	<b><i>Percent</i></b>
<b>Total</b>	<b>\$149,282,513</b>	<b>100.00%</b>
Supreme Court	\$ 4,347,691	2.91%
Basic Legal Services *	\$ 1,783,743	1.19%
National Center of State Courts	\$ 80,000	0.05%
Office of State Courts Administrator	\$ 3,665,561	2.46%
Court Improvement Projects	\$ 4,489,114	3.01%
Court Automation	\$ 11,749,414	7.87%
Judicial Department Education	\$ 1,133,057	0.76%
Court of Appeals	\$ 9,957,500	6.67%
Circuit Courts	\$109,165,592	73.13%
Drug Courts	\$ 2,714,459	1.82%
Other (less leases)	\$ 196,382	0.13%
* Represents a transfer to the Department of Social Services		
<b>Fiscal Year 2004 Collections by the Judicial Branch Returned to State Funds *</b>		
<b>Total</b>	<b>\$34,422,387.14</b>	<b>100.0%</b>
Court Fees paid to Missouri General Revenue	\$13,336,980.90	39.03%
Crime Victims Compensation & Services for Victims	\$10,242,746.85	29.97%
Court Automation Fees	\$ 4,473,420.87	13.09%
Basic Civil Legal Services Fund	\$ 2,042,718.67	5.98%
Peace Officer Standards & Training Fund	\$ 1,331,569.84	3.90%
Spinal Cord Injury Fund	\$ 678,810.20	1.99%
Head Injury Fund	\$ 648,846.62	1.90%
Independent Living Center Fees	\$ 379,086.62	1.11%
Prosecution Fees	\$ 366,739.08	1.07%
Motorcycle Safety Trust	\$ 326,143.65	0.95%
State Forensic Laboratory	\$ 269,021.00	0.06%
Domestic Relations Resolution Fund	\$ 230,518.55	0.67%
Court Appointed Special Advocates	\$ 80,709.29	0.24%
Merchandise Practices Revolving Fund	\$ 15,075.00	0.04%
* This does not include other funds distributed to individuals or other units of Government.		

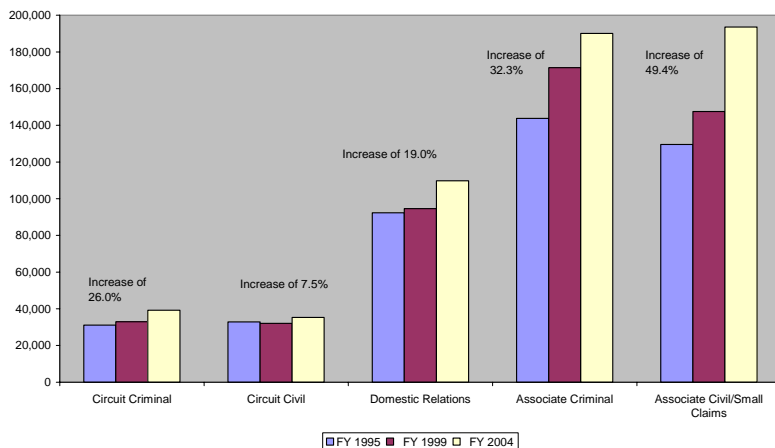
## Case Information

### Case Filings:

The table and chart on this page depict the number of filings for five case categories. Circuit criminal cases are cases where an indictment or information is filed alleging a commission of a felony offense. Circuit civil filings include petitions involving amounts greater than \$25,000. Domestic relations filings are cases such as dissolution of marriage, adult abuse and motions to modify. Associate criminal cases include misdemeanor cases and preliminary hearings for felonies. Associate civil cases include petitions filed for amounts less than \$25,000 and small claims cases with a limit of \$3,000.

Case Category	FY 1995	FY 1999	FY 2004	% Change FY 1995 to FY 1999	% Change FY 1999 to FY 2004	% Change FY 1995 to FY 2004
<b>Circuit Criminal</b>	31,126	32,904	39,231	5.7%	19.2%	26.0%
<b>Circuit Civil</b>	32,813	32,046	35,275	-2.3%	10.1%	7.5%
<b>Domestic Relations</b>	92,264	94,573	109,753	2.5%	16.1%	19.0%
<b>Associate Criminal</b>	143,736	171,372	190,100	19.2%	10.9%	32.3%
<b>Associate Civil/Small Claims</b>	129,556	147,526	193,564	13.9%	31.2%	49.4%
<b>TOTAL</b>	429,495	478,421	567,923	11.4%	18.7%	32.2%

Circuit Court Filings for Select Case Categories  
Percentage Change in Filings from FY 1995 to FY 2004



criminal cases and in Fiscal Year 2004, that number had increased to 190,100. This increase may be due in part to the various statutes passed for preventing or controlling illegal drug production, possession and distribution, and for various statutory changes regarding driving while under the influence of drugs or alcohol (DWI) or blood alcohol content (BAC) levels. In 2001 there were 12,701 charges filed at the associate level for DWI-Alcohol related traffic offenses in 2004 there were 14,495. An increase in criminal cases was also reflected in the circuit criminal case counts which increased 26.0 percent from Fiscal Year 1995 to Fiscal Year 2004.

The large increase in domestic relations cases is due to a 55.8 percent increase in adult abuse and child protection order filings. In Fiscal Year 1995 there were 33,407 filings; in Fiscal Year 2004 there were 52,068 filings.

Although not depicted in the table, probate and juvenile filings also increased from Fiscal Year 1995 to Fiscal Year 2004. In Fiscal Year 1995, there were 11,956 probate filings and 27,596 juvenile filings. In Fiscal Year 2004 there were 13,704 probate filings and 32,650 juvenile filings.

Also not depicted are traffic filings handled by court staff. These filings have decreased since the July 1, 2001, inception of the Fine Collection Center (FCC) to process many routine traffic cases. In FY2004, court staff processed 239,645 traffic cases. Of the 133,659 cases received by the FCC in Fiscal Year 2004, 86,119 cases (64.4 percent) were disposed with a guilty plea.

Overall, filings increased 32.2 percent from Fiscal Year 1995 to Fiscal Year 2004 for these court cases. The most dramatic change occurred in the associate civil category, which experienced a 49.4 percent increase in the number of case filings. This large increase was primarily the result of an almost two fold increase (90.2 per cent) in cases involving breach of contract. In Fiscal Year 1995, there were 60,270 breach of contract filings, and in Fiscal Year 2004, that number had increased to 114,628. Court clerks report an increase in filings from businesses such as financial institutions, credit card companies and medical facilities.

The next largest increase in case filings (32.3 per cent) was in the associate criminal category. In Fiscal Year 1995, there were 143,736 associate

Filings of appeals and writs in the three appellate districts of the Court of Appeals went from 3,678 filings in Fiscal Year 1999 to 3,535 filings in Fiscal Year 2004. Filings of appeals, writs, applications to transfer and supervisory matters in the Supreme Court were 799 filings in Fiscal Year 1999 and 693 filings in Fiscal Year 2004.

Supreme Court Operating Rule 17 establishes case processing time standards to ensure the prompt and fair disposition of cases filed in Missouri's circuit courts. Achievements for Fiscal Year 2004 include:

- Two circuits met the 90% standard in all categories.
- The statewide performance improved in both associate civil and domestic relations cases.
- The most improvement was made in the associate civil category, where 30 of the 45 circuits met the 90% standard.
- Eight circuits met at least five of the ten possible standards.
- Five circuits met the 98% standard in associate criminal cases compared with one circuit in Fiscal Year 2003.

Case Processing Time Standards Age of Case At Disposition FY2004				
Time Standard Category	Standard for Age of Case at Disposition in the State	Actual Performance Statewide	Percent Change from FY2003	Circuits Meeting Both Standards in FY2004
Circuit Civil				
In 18 months	90%	78%	-2%	1, 19
In 24 months	98%	87%	-1%	
Domestic Relations				
In 8 months	90%	85%	1%	5, 14
In 12 months	98%	91%	0%	
Circuit Felony				
In 8 months	90%	82%	-1%	8, 13, 14, 19, 32
In 12 months	98%	91%	-1%	
Associate Civil				
In 6 months	90%	86%	1%	1, 2, 3, 4, 6, 9, 10, 12, 13, 14, 17, 18, 19, 22, 26, 32, 33, 34, 39, 44, 45
In 12 months	98%	97%	1%	
Associate Criminal				
In 4 months	90%	73%	-1%	2, 14, 32
In 6 months	98%	85%	-1%	

## Highlights of Fiscal Year 2004

### Court Automation Highlights

- Justice Information System (JIS), the software business tool for court case and financial management, was installed in three circuits which included the counties of Bates, Henry, McDonald, Macon, Newton, Shelby and St. Clair. At the close of Fiscal Year 2004, the Supreme Court, the three districts of the Court of Appeals, 29 circuit courts (75 counties) and the Fine Collection Center were totally automated on JIS; two additional circuits used JIS for specific case types.
- A major software upgrade of the JIS case management system was deployed to five circuits (8<sup>th</sup>, 13<sup>th</sup>, 18<sup>th</sup>, 16<sup>th</sup>, and 28<sup>th</sup>), the Supreme Court, two Court of Appeals districts and the Fine Collection Center. This was the second of a two-phase upgrade designed to increase the efficiency of the courts and to meet changes in the administration of justice.
- In preparation for the JIS software upgrade mentioned above, approximately 1000 workstations in the JIS courts were upgraded to accommodate the higher technical requirements.
- With federal grant assistance, five juvenile courts (27<sup>th</sup>, 22<sup>nd</sup>, 40<sup>th</sup>, 41<sup>st</sup>, and 18<sup>th</sup> Circuits) began using JIS to manage cases and to track juveniles and the services they receive. At the close of the Fiscal Year year, 19 counties were using the JIS case management system for cases involving juvenile referrals and informal adjustments; implementation of JIS for detention site management began with the 18th Circuit in May, 2004.
- The Court Automation Program supports all court users in 45 circuit courts, three appellate divisions and the Supreme Court; in addition it supports the public who use Case.net, the Internet interface to court case information. Over 53,000 questions and requests were processed by the OSCA support team.
- In February, 2004, the courts on the JIS upgrade began reporting traffic dispositions electronically to the Department of Revenue and the Missouri State Highway Patrol. The Department of Revenue electronically uploads convictions into their driver's database which tracks license points and determines when licenses are suspended. The Missouri State

Highway Patrol uses the data to update the disposition of citations issued by the patrol officers and to update the alcohol/drug related traffic database required by Section 577.051 RSMo. By June 30, eleven courts were electronically reporting traffic dispositions and 7,000 records had been sent.

- Section 43.503 RSMo requires the Missouri State Highway Patrol to maintain a repository of all criminal history records. An automated interface has been developed between JIS and the repository to send, not only new dispositions, but any modification of the defendant's sentence or probation. Between the implementation date in February 2004 and the end of the Fiscal Year year, nine circuits had the software and 264,300 criminal history records had been electronically sent to the repository.
- A total of 112 counties have requested the ACS Juror Management System (JMS), the automated package which provides the jury master list in each county; randomly selects jurors; sends questionnaires, summons and follow-up notices to prospective jurors; tracks juror eligibility and postponements of jury service; and provides lists needed for juror check-in and voir dire. It issues checks for jury service or sends information to the county for the county commission to issue the checks. Eighty-eight counties have managed a jury trial using JMS; 18 additional counties have sent questionnaires and 6 additional counties have received training and software installation, but are waiting for the next jury term to use the system.
- Twenty-three circuits have staff using the Missouri Juvenile Justice Information Sharing software, which allows juvenile officers to track prior juvenile court, mental health and social services contacts with a particular child. Emailing capabilities and other enhancements were made, and over 3 million new records were added from the Department of Health and Senior Services.

### **Court Education Highlights**

- During Fiscal Year 2004, the Division of Judicial Department Education coordinated instruction for 1,683 judiciary employees in 466 classes.
- Because classroom training on the JIS upgrade would have been costly in both staff time and travel expenses, three web based courses were developed to train over 600 JIS court staff for a fraction of the cost of classroom training.

### **Court Services Highlights**

- OSCA and the courts implemented a successful program to offset Missouri tax refunds to collect overdue fines and costs. Courts using JIS may sign up for a program that electronically transmits the amount of overdue fees to the Department of Revenue. If the Department of Revenue finds a match between a court debtor and a tax payer receiving a refund, the tax refund is intercepted to pay for the overdue fees. The program was initiated in January 2004 and by the end of June, nineteen courts were using the program and over \$80,000 had been intercepted.
- In June 2004, OSCA in cooperation with Lincoln and St. Charles Circuit Courts initiated another innovative collection program. OSCA awarded a contract for professional debt collection services. Lincoln and St. Charles were the two pilot courts and, in under a month, over \$11,000 in past due fees had been collected by ACS.
- In April, 2004, the Central Transcribing Service transitioned from a combination of in-house and outsourced production of transcripts to 100 percent outsourcing of transcript production. Three employees remain in Central Transcribing to oversee the outsourcing and assure quality control.
- Five juvenile courts piloted recommendations of the Missouri Supreme Court Commission on Children's Justice for mandatory time frames for child abuse and neglect hearings and one court piloted open juvenile court hearings.
- Video teleconference equipment was installed for a juvenile court pilot program in the 32<sup>nd</sup>, 33<sup>rd</sup>, 34<sup>th</sup>, and 35<sup>th</sup> Circuits.
- The Drug Courts Coordinating Commission partially funded 54 drug courts with a total budget of \$3.1 million.
- Through collaboration between OSCA, Legal Services of Southern Missouri and Greene County Circuit Court, a self-help work station was placed in the Greene County courthouse to provide a way for individuals to complete a petition for an order for protection.